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10 JEFFERY EDWARD ARAMBEL

11 UNITED STATES BANKRUPTCY COURT

12 EASTERN DISTRICT OF CALIFORNIA

13 In Re:

14 JEFFERY EDWARD ARAMBEL,

15 Debtor.

Case No. 18-90029-E-11

Chapter 11

Docket Control No. MF-9

Date: April 19, 2018

Time: 10:30 a.m.

Place: Courtroom 33  
501 I Street, 6<sup>th</sup> Floor  
Sacramento, California

Hon. Ronald H. Sargis

17 **ORDER AUTHORIZING SALE OF REAL PROPERTY FREE AND CLEAR OF LIENS**  
18 **(HOME RANCH)**

19 A hearing was held on April 19, 2018, on the Debtor in Possession's Motion for Authority to  
20 Sell Real Property Free and Clear of Liens (Home Ranch) (the "Motion"), requesting authority  
21 pursuant to 11 U.S.C. §§ 363(b) and (f) and 105(a) as well as Federal Rules of Bankruptcy  
22 Procedure 6004 to sell that certain real property known as "Home Ranch" comprising approximately  
23 180.81 acres of apricot and peach orchards on Needham Road near Stark Road west of Westley,  
24 California (APNs 021-013-025, 021-013-026, 021-013-027 and 021-013-028), excluding a certain  
25 3,200 square-foot home and shop built upon the land and the approximately one acre surrounding it,  
26 more particularly described on Exhibit "A" attached to this order (the "Property"), free and clear of  
27 certain liens, claims, encumbrances, and interests identified below. Appearances were as noted in  
28 the Civil Minutes for the hearing. Findings of fact and conclusions of law are stated in the Civil

RECEIVED

April 20, 2018

CLERK, U.S. BANKRUPTCY COURT  
EASTERN DISTRICT OF CALIFORNIA  
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1 Minutes for the hearing.

2 The Motion having been presented to the Court, and upon review of the pleadings, evidence  
3 and arguments of counsel, and good cause appearing,

4 IT IS ORDERED that Jeffrey Arambel, Debtor in Possession, is authorized to sell the  
5 Property pursuant to 11 U.S.C. § 363(b) and (f)(4) to Skip Foppiano or nominee (the “Buyer”) on the  
6 following terms:

7 1. The Property shall be sold to Buyer for \$3,700,000.00, on the terms and conditions  
8 set forth in the Purchase and Sale Agreement filed as Exhibit “A” to the Motion (Dckt. 177) and as  
9 further provided in this order;

10 2. The sale proceeds shall first be applied to closing costs, real estate commissions,  
11 prorated real property taxes and assessments, liens, and other customary and contractual costs and  
12 expenses incurred in order to effectuate the sale;

13 3. The Property is sold free and clear of the liens of SBN V Ag I LLC and California  
14 Employment Development Department, creditors asserting secured claims, pursuant to 11 U.S.C.  
15 § 363(f)(4), with the liens of such creditors attaching to the proceeds; Debtor in Possession shall  
16 hold the sale proceeds after payment of the closing costs, other secured claims, and other amounts  
17 provided in this order pending further order of the court;

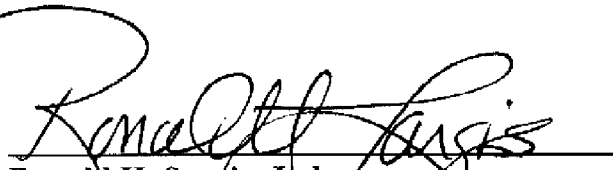
18 4. The Debtor in Possession is authorized to execute any and all documents reasonably  
19 necessary to effectuate the sale;

20 5. The Debtor in Possession is authorized to pay a real estate broker’s commission in an  
21 amount equal to four percent (4%) of the actual purchase price upon consummation of the sale; the  
22 commission shall be paid to the Debtor in Possession’s broker, namely Pearson Realty;

23 6. The fourteen-day stay of enforcement provided by Federal Rule of Bankruptcy  
24 Procedure 6004(h) is waived for cause.

25 1 **Dated:** April 23, 2018

**By the Court**

26  
27  
28  
  
Ronald H. Sargis, Judge  
United States Bankruptcy Court

**EXHIBIT A****LEGAL DESCRIPTION**

THE LAND REFERRED TO HEREIN BELOW IS SITUATED IN THE UNINCORPORATED AREA OF STANISLAUS, IN THE COUNTY OF STANISLAUS, STATE OF CALIFORNIA, AND IS DESCRIBED AS FOLLOWS:

**Parcel A:**

Parcel 1 as shown on that certain Parcel Map filed for record February 27, 1991 in Book 44 of Parcel Maps, Page 13, Stanislaus County Records, and being a portion of the West one-half of Section 5, Township 5 South, Range 7 East, Mount Diablo Base and Meridian.

Except therefrom Parcel One as shown on that certain Parcel Map filed for record December 15, 1992 in Book 45 of Parcel Maps, Page 62, Stanislaus County Records.

Together with a non-exclusive easement for ingress and egress over and across the East 15 feet of Parcel 2 as shown on said Parcel Map filed for record in Book 44 of Parcel Maps, Page 13, Stanislaus County Records.

APN: 021-013-028

**Parcel B:**

Parcel 2 as shown on that certain Parcel Map filed for record February 27, 1991 in Book 44 of Parcel Maps, Page 13, Stanislaus County Records, and being a portion of the West one-half of Section 5, Township 5 South, Range 7 East, Mount Diablo Base and Meridian.

Together with a non-exclusive easement for ingress and egress over and across the West 15 feet of Parcel 1 as shown on said Parcel Map filed for record in Book 44 of Parcel Maps, Page 13, Stanislaus County Records.

APN: 021-013-027

**Parcel C:**

Parcel 3 as shown on that certain Parcel Map filed for record February 27, 1991 in Book 44 of Parcel Maps, Page 13, Stanislaus County Records, and being a portion of the West one-half of Section 5, Township 5 South, Range 7 East, Mount Diablo Base and Meridian.

Together with a non-exclusive easement for ingress and egress over and across the West 15 feet of Parcel 1; over and across the East 15 feet of Parcel 2; and over and across the 30-foot ingress and egress easement on Parcel 4, as said parcels are shown on said Parcel Map filed for record in Book 44 of Parcel Maps, Page 13, Stanislaus County Records.

APN: 021-013-025

**Parcel D:**

Parcel 4 as shown on that certain Parcel Map filed for record February 27, 1991 in Book 44 of Parcel Maps, Page 13, Stanislaus County Records, and being a portion of the West one-half of Section 5, Township 5 South, Range 7 East, Mount Diablo Base and Meridian.

Together with a non-exclusive easement for ingress and egress over and across the West 15 feet of Parcel 1; and over and across the East 15 feet of Parcel 2, as said parcels are shown on said Parcel Map filed for record in Book 44 of Parcel Maps, Page 13, Stanislaus County Records.

APN: 021-013-026